

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**ANGELA BLACK**

**v.**

**HOSPICE OF EAST TEXAS**

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**CIVIL ACTION NO. 6:15-CV-747**

**SCHEDULING ORDER (FLSA CASE)**

Pursuant to Federal Rule of Civil Procedure (FRCP) 16, the Court finds it appropriate to implement a schedule tailored to attain the just and speedy resolution of this case—filed under the Fair Labor Standards Act (“FLSA”). Accordingly, in the interests of the just, speedy and inexpensive resolution of this case (Fed. R. Civ. P. 1), it is **ORDERED** that the provision of FRCP 26 (a)(1) concerning the initial disclosures are hereby waived. Instead, the parties shall comply with the following schedule:

1. No later than 15 days from the date of this Order, Plaintiff shall answer the Court’s Interrogatories (attached to this Order) under oath or penalty of perjury, serve a copy on Defendant, and file the answers with the Court in a document entitled “Notice of Filing Answers to Court’s Interrogatories.”

2. No later than 15 days after Plaintiff files Answers to the Court’s Interrogatories, Defendant shall serve on Plaintiff and file with the Court a Verified Summary of all hours worked by Plaintiff during each relevant pay period, the rate of pay and wages paid, including overtime pay, if any. No later than 15 days after Plaintiff files Answers to the Court’s Interrogatories, Defendant shall also serve on Plaintiff (but *not* file) a copy of all time sheets and payroll records that support or relate to the time periods in the Verified Summary.

3. No later than 30 days after Defendant files the Verified Summary, counsel for Plaintiff and Defendant shall meet and confer in person in a good faith effort to settle all pending issues, including attorneys fees and costs. Counsel shall have full authority to settle, and shall set aside sufficient time for a thorough, detailed, and meaningful conference that is calculated to fully resolve the case by agreement.

4. No later than 10 days after the settlement conference, counsel shall jointly file a Report Regarding Settlement that notifies the Court whether: 1) the parties have settled the case; 2) the parties have not settled but wish to continue settlement discussions for a specific period of time; 3) the parties wish to engage in a formal mediation conference before a specific mediator on or before a specific date; or 4) the parties have exhausted all settlement efforts. This report shall be signed by counsel for all parties.

5. The Court expects strict adherence to these deadlines. Exceptions will be granted only for compelling reasons. Failure to comply may result in the imposition of sanctions, including but not limited to the dismissal of the case and the striking of pleadings.

6. Until further order of this Court, all discovery in this case is **STAYED**, except as provided in this Order.

7. Either party, for good cause shown, may seek leave of Court to alter this schedule should circumstances warrant.

**It is SO ORDERED.**

**SIGNED this 26th day of October, 2015.**

A handwritten signature in black ink, reading "Michael H. Schneider", is written over a horizontal line.

MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE

**COURT'S INTERROGATORIES TO PLAINTIFF**

1. During what period of time were you employed by the Defendant?
2. Who was your immediate supervisor?
3. Did you have a regularly scheduled work period? If so, specify.
4. What was your title or position? Briefly describe your job duties.
5. What was your regular rate of pay?
6. Provide an accounting of your claim, including:
  - (a) dates
  - (b) regular hours worked
  - (c) over-time hours worked
  - (d) pay received versus pay claimed
  - (e) total amount claimed
7. When did you (or your attorney) first complain to your employer about alleged violations of the FLSA?
8. Was this complaint written or oral? (If a written complaint, please attach a copy).
9. What was your employer's response? (If a written response, please attach a copy).

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Signature of Plaintiff

STATE OF TEXAS

COUNTY OF \_\_\_\_\_

BEFORE ME, the undersigned authority, on this day, personally appeared \_\_\_\_\_(name of plaintiff), who being first duly sworn, deposes and says that he/she has read the foregoing Answers to Interrogatories, knows the contents of same, and to the best of his/her knowledge and belief, the same are true and correct.

SWORN TO AND SUBSCRIBED before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

NOTARY PUBLIC

Notary Stamp

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Signature of Person Taking Acknowledgment

Print Name:

Title: Notary Public

Serial No. (If any):

Commission Expires: